

Causeway Coast and Glens Borough Council

Planning Committee Monday 9th November 2015

Table of Key Adoptions

No	Item	Summary of key Adoptions
3.	<p>To Consider Notice of Opinion from Department of Environment in relation to Planning Application C/2011/0459/F (Cam Burn Wind Farm) and Agree response</p>	<p><i>adopt Option 2 as outlined above.</i></p> <p>invite Alderman Finlay and Councillor Callan to appear before and being heard by the PAC or other person appointed by the DoE.</p> <p>that committee seek clarity on the timeline of and communication between, the DoE Minister, his SpAd and the Applicant/Agent surrounding their discussions prior to the ‘call-in’ of Planning Application C/2011/0459/F (Cam Burn Wind Farm). Further, that Committee invite the DoE Minister to discuss his opinion on this application</p>

Planning Committee

Minutes of the Meeting of Causeway Coast and Glens Borough Council Planning Committee, held in Council Chamber, Civic Headquarters, Coleraine on Monday 9th November 2015 at 7.00 pm.

In the Chair: Councillor McCaul

Members present: Councillor Callan, Alderman Cole, Councillor Fielding, Alderman Finlay, Councillor Fitzpatrick, Alderman King, Councillor P McShane, Alderman Mullan, Councillor Nicholl, Alderman Robinson

In attendance: D Dickson, Head of Planning
D Hunter, Council Solicitor
S Duggan, Committee and Member Services Officer

Also in Attendance: Press
Public

1. Apologies

Apologies were recorded from Councillor Loftus.

2. Declarations of Interest

There were no Declarations of Interest.

3. To Consider Notice of Opinion from Department of Environment in relation to Planning Application C/2011/0459/F (Cam Burn Wind Farm) and Agree response

The Head of Planning reported, circulated, summarised as undernoted:

Consideration is required as to whether the Committee wish to respond to the DoE as a result of its Notice of Opinion to approve planning application C/2011/0459/F. The options available to the Committee are as follows:

- **Option 1:** Agree that the Planning Committee notes the Notice of Opinion of the DoE dated 30th October 2015 and has no further comment to make. **Comment:** the DoE will thereafter grant planning permission for planning application C/2011/0459/F
- **Option 2:** Agree that the Planning Committee request in writing the opportunity of appearing before and being heard by the PAC or other person appointed by the DoE. **Comment:** The Act allows for the Council and not objectors to the application to appear before and be heard by the PAC. Therefore, it will be for a member of the Planning Committee to appear and present the Committee's case to the PAC. Following the hearing, the PAC will prepare a report to the DoE with its recommendation. However, the final decision on the determination of the application rests with the DoE.

IT IS RECOMMENDED that the Planning Committee agree that the Head of Planning writes a response to DoE based on either Option 1 or Option 2 detailed above.

- * Councillor Nicholl left the meeting during early consideration of the above matter.

It was proposed by Alderman Cole, seconded by Councillor Callan: **that Committee adopt Option 2 as outlined above.**

Members voiced concern at only learning of the DoE Notice of Opinion from a press website link which had been forwarded from the Chief Executive, the information within which, was not factually correct. Councillor Callan sought clarity from The Head of Planning as to why the Planning Committee resolution on 28th October 2015 to write to the DoE Minister, stating that the view of the Planning Committee on 23rd September 2015 to refuse the Application was for the reasons stated, had not been sent. The Head of Planning outlined the sequencing of events that had led to the apparent lapse of action.

The Council Solicitor clarified a Planning Officer would give support to the Committee in appearing before and being heard by the PAC.

The Chair put the proposal to the committee to vote, 8 Members voted for, 2 Members voted against the Chair declared the proposal carried.

It was proposed by Alderman Robinson, seconded by Councillor Fielding **that Committee invite Alderman Finlay and Councillor Callan to appear before and being heard by the PAC or other person appointed by the DoE.**

The Council Solicitor advised; other Elected Members whom wish to attend may do so.

The Chair put the proposal to the committee to vote, 8 Members voted for, 0 Members voted against, 2 Members abstained. The Chair declared the proposal carried.

It was proposed by Alderman Finlay, seconded by Alderman Robinson and **AGREED: that Committee move in-committee.**

- * **Press and Public left the meeting at 7.35pm.**

The Council Solicitor responded to Elected Member queries surrounding the Opinion of the QC that had been briefly made available to the Planning Committee; the remit of the DoE Minister within Section 29 of the Planning Act; Conflicts of Interest in terms of Central Government and ROCS payments; details as to who made the Department aware of Committee's determination and reference was also made to The Nolan Principles of Public life.

It was proposed by Councillor Callan, seconded by Alderman Finlay: **that committee seek clarity on the timeline of and communication between, the DoE Minister, his SpAd and the Applicant/Agent surrounding their discussions prior to the 'call-in' of Planning Application C/2011/0459/F (Cam Burn Wind Farm). Further, that Committee invite the DoE Minister to discuss his opinion on this application.**

The Chair put the proposal to the committee to vote, 7 Members voted for, 0 Members voted against, 3 Members abstained. The Chair declared the proposal carried.

It was proposed by Councillor Fitzpatrick, seconded by Councillor Callan and **AGREED: that Committee resolve itself out of in-committee.**

4. Date of Next Meeting

- Wednesday 25th November, Civic Headquarters, Coleraine, 2pm.

This being all the business the meeting closed at 8pm.